

EXHIBIT B

David Zimmer

From: Muino, Daniel P. <DMuino@mofo.com>
Sent: Sunday, April 15, 2012 6:54 PM
To: Gene Paige; Oracle MoFo Service List; Oracle-Google@BSFLLP.com
Cc: DALVIK-KVN; dalvik-ks@kslaw.com; GT_Google@gtlaw.com
Subject: RE: Oracle's motion to exclude evidence

Gene,

As we just discussed, Michael Jacobs informed Bob Van Nest and Bruce Baber on the phone at 2:30pm today that Oracle would be filing a motion on this exact subject. We believe that suffices.

Daniel P. Muino
Morrison & Foerster LLP
425 Market Street | San Francisco, CA 94105
415.268.7475 | 415.268.7522 fax
dmuino@mofo.com | www.mofo.com

From: Gene Paige [<mailto:EPaige@kvn.com>]
Sent: Sunday, April 15, 2012 6:16 PM
To: Oracle MoFo Service List; Oracle-Google (Oracle-Google@BSFLLP.com)
Cc: DALVIK-KVN; dalvik-ks@kslaw.com; GT_Google@gtlaw.com
Subject: Oracle's motion to exclude evidence

Counsel:

We have received via ECF the motion that Oracle filed at Docket No. 922 to exclude evidence. It purports to have been made pursuant to the Court's Orders, including ECF No. 890. ECF No. 890 provides:

- 18 • The moving party shall provide the other party with written notice of intent
19 a motion (which notice shall include the relief to be sought and a general
20 description of the subject matter and basis for the motion) by 3 PM (Pacific
21 day the motion is to be filed.

Oracle did not provide any written notice of its intent to file a motion, much less written notice containing a statement of the relief to be sought and a general description of the subject matter and basis of motion, by 3 p.m. Pacific today, Sunday, April 15. The motion is therefore improper.

Please confirm immediately that the motion has been withdrawn, and that any future motions will be filed only in conformance with the parties' agreements and the Court's Orders. Thank you.

Eugene M. Paige
Keker & Van Nest, LLP
633 Battery Street

San Francisco, CA 94111
(415) 391-5400

This message is intended only for the use of the individual or entity to whom it is addressed. The message is confidential and may contain attorney-client information, attorney work product or other privileged information. If you are not the intended recipient, you are hereby notified that any use or dissemination of this message is strictly prohibited. If you received this message in error, please notify the sender by replying to the message. When complete, please delete the original message. Thank you.

To ensure compliance with requirements imposed by the IRS, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this communication (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

For information about this legend, go to
<http://www.mofo.com/Circular230/>

=====
This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail @mofo.com, and delete the message.
